

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**GREGORY THOMAS BERRY, et al.
on behalf of themselves and all others
similarly situated**

Plaintiffs,

v.

Case No. 3:11cv754

**LEXISNEXIS RISK &
INFORMATION ANALYTICS
GROUP, INC., et al.,**

Defendants.

**JOINT MOTION FOR PRELIMINARY APPROVAL
OF PROPOSED SETTLEMENT**

Plaintiffs Gregory Thomas Berry, Summer Darbonne, Rickey Millen, Shamoon Saeed, Arthur B. Hernandez, Erika A. Godfrey and Timothy Otten, individually and on behalf of all others similarly situated, (“Plaintiffs”) and Defendants LexisNexis Risk & Analytics Group, Inc., Seisint, Inc., and Reed Elsevier Inc. (“Defendants”) move for preliminary approval of the proposed settlement of this action, in which they request this Court to enter an Order (1) granting preliminary approval of the proposed settlement; (2) conditionally certifying two classes for settlement purposes only pursuant to Fed. R. Civ. P. 23(b)(2) and Fed. R. Civ. P. 23(b)(3); (3) appointing Class Counsel for the settlement classes; (4) approving the proposed notice plans for the settlement classes; (5) appointing Kinsella Media and Rust Consulting, Inc. as the Settlement Administrators for the Rule 23(b)(2) and Rule 23(b)(3) settlement classes, respectively; and (6) scheduling the Court’s final fairness hearing for the proposed settlement.

Respectfully submitted,

/s/

Leonard Anthony Bennett
Consumer Litigation Associates, P.C.
763 J Clyde Morris Boulevard
Suite 1A
Newport News, VA 23601

Michael Allen Caddell
Caddell & Chapman
1331 Lamar St.
Suite 1070
Houston, TX 77010

James Arthur Francis
Francis & Mailman PC
Land Title Building
100 S. Broad Street, 19th Floor
Philadelphia, PA 19110

Dale Wood Pittman
The Law Office of Dale W. Pittman, P.C.
112-A W. Tabb St.
Petersburg, VA 23803-3212

Attorneys for Plaintiffs Gregory Thomas
Berry, Summer Darbonne, Rickey Millen,
Shamoon Saeed, Arthur B. Hernandez, Erika
A. Godfrey and Timothy Otten

/s/

David N. Anthony (Bar No. 31696)
TROUTMAN & SANDERS LLP
1001 Haxall Point
Richmond, Virginia 23219
Telephone: 804.697.5410
Facsimile: 804.698.5118
Email: david.anthony@troutmansanders.com

Ronald I. Raether, Jr. (Pro Hac Vice)
FARUKI IRELAND & COX, P.L.L.
500 Courthouse Plaza, S.W.
10 North Ludlow Street
Dayton, OH 45402
Telephone: 937.227.3733
Telecopier: 937.227.3717
Email: rraether@fclaw.com

James F. McCabe (Pro Hac Vice)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105
Telephone: 415.268.7000
Facsimile: 415.268.7522
Email: jmccabe@mofo.com

Attorneys for Defendant Reed Elsevier Inc.,
LexisNexis Risk Solutions FL Inc. and
LexisNexis Risk Data Management, Inc.

CERTIFICATE OF SERVICE

I certify that on the 15th day of March, 2013, I electronically filed the foregoing Joint Motion for Preliminary Approval of Proposed Settlement with the Clerk of Courts using the CM/ECF system, which will send notification of such filing to CM/ECF participants, and I hereby certify that I have mailed by United States Postal Service the document to the non-CM/ECF participants:

Dale W. Pittman
The Law Office of Dale W. Pittman, P.C.
The Eliza Spotswood House
112-A West Tabb Street
Petersburg, VA 23803-3212

Leonard A. Bennett
Matthew Erausquin
Susan M. Rotkis
Janelle E. Mason
Consumer Litigation Associates P.C.
12515 Warwick Boulevard, Suite 100
Newport News, VA 23606

Michael A. Caddell
Cynthia B. Chapman
Craig C. Marchiando
Caddell & Chapman
1331 Lamar, Suite 1070
Houston, TX 77010

James A. Francis
Mark D. Mailman
John Soumilas
David A. Searles
Erin A. Novak
Francis & Mailman
Land Title Building, 19th Floor
100 South Broad Street
Philadelphia, PA 19110

Attorneys for Plaintiffs

/s/
David N. Anthony